

Probate Notes for March 16, 2020

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please Note: The following probate matters will be heard at **9:00 a.m.** in the department indicated below.

The following probate matters will be heard in Department Nine.

CASE: Conservatorship of Cole
Case No. CV PC 19-77

It is recommended to deny Donald Cole's petition for substituted judgment. (Prob. Code, § 2580.) Petitioner has not established that the proposed action will have no adverse effect on the estate or the estate remaining after the proposed action is taken will be adequate to provide for the needs of the conservatee. (Prob. Code, § 2582, subd. (b).)

It is recommended to deny attorney Carlena Tapella's petition for reimbursement of attorneys' fees and costs previously paid. (Prob. Code, § 2640.1.) Petitioner has not established that Donald Cole's petitions to be appointed temporary conservator and to be appointed conservator were filed in the best interests of the conservatee. (Prob. Code, § 2640.1.) In addition, petitioner fails to cite any legal authority to support reimbursement for attorneys' services or costs related to the petition to appoint Elizabeth Dean as conservator.

The following probate matters will be heard in Department Ten.

CASE: Estate of Seybold
Case No. CV PB 19-288

The Court notes the following deficiency: Petitioner has failed to file a written bond waiver executed by the guardian ad litem or other legal representative with specific authority under law to waive bond on behalf of the minor beneficiary. (Prob. Code, §§ 8481, 1003; Judicial Council form DE-142/DE-111.)